

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

XING XIE, et al.,

Plaintiffs,

-against-

CITYSPADE INC., CITYSPADE MOVING  
AND DELIVERY LLC, and ZI JUN WANG,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 10/10/2023

1:19-cv-05005 (MKV)

**ORDER**

MARY KAY VYSKOCIL, United States District Judge:

On August 9, 2023, the Court granted Mr. Stephen Mullkoff's motion to withdraw as defense counsel in this case. [ECF No. 80.] In the same Order, the Court directed Mr. Mullkoff to (i) send a copy of the Order to Defendants and (ii) submit a letter to the Court confirming that the Order was sent to Defendants and providing the Court with Defendants' last known address. Mr. Mullkoff did neither.

The August 9, 2023 Order also directed Defendants to retain new counsel, or to file letters with respect to the status of their representation, on or before August 31, 2023. Counsel has not appeared, nor have Defendants filed a letter on the docket informing the Court that they intend to proceed *pro se*. **Defendants are on notice that corporations and limited liability companies ("LLCs") may not appear *pro se* in federal court.** *See, e.g., Dow Chem. Pac. Ltd. v. Rascator Maritime, S.A.*, 782 F.2d 329, 336 (2d Cir. 1986). Corporate defendants—here, Cityspade Inc. and Cityspade Moving and Delivery LLC—**must be represented by a licensed attorney.** *See Hounddog Prods., L.L.C. v. Empire Film Grp., Inc.*, 767 F. Supp. 2d 480, 486 (S.D.N.Y. 2011) ("It is well settled that corporations can only appear in court through an attorney, and may not proceed *pro se*."); *Japanese Juices LLC v. United States*, No. 20-CV-1371, 2020 WL 8679708, at \*1 (S.D.N.Y. Mar. 5, 2020) (A "limited liability company (LLC) can appear in federal court only

through a licensed attorney.”). Accordingly, counsel must appear on behalf of Defendants Cityspade Inc. and Cityspade Moving and Delivery LLC on or before November 3, 2023.

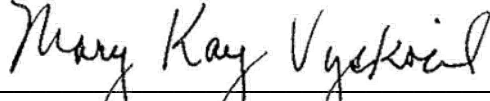
**Defendants are on notice that if counsel does not appear on behalf of Defendants Cityspade Inc. and Cityspade Moving and Delivery LLC on or before November 3, 2023, they may be held in default.**

Plaintiffs may not move for summary judgment until this issue is resolved. Accordingly, Plaintiffs are directed to serve a copy of this Order on Defendants and to file proof of service on the docket or before October 16, 2023.

**Failure to comply with this Order may result in sanctions, including preclusion of claims or defenses, monetary penalties, and/or dismissal of this action.**

SO ORDERED.

Date: October 10, 2023  
New York, NY

  
\_\_\_\_\_  
MARY KAY VYSKOČIL  
United States District Judge